

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 97-358-W - ORDER NO. 97-1066
DECEMBER 29, 1997

✓ MR

IN RE: Rickey and Brenda Bryant,)	ORDER
)	DENYING
Complainants,)	RECONSIDERATION
)	AND REHEARING
vs.)	
)	
Carolina Water Service, Inc.,)	
)	
Respondent.)	
)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Petition for Rehearing and Reconsideration of our Order No. 97-1003 filed by Rickey and Brenda Bryant (the Bryants).

The Bryants allege in their Petition that we erred in dismissing the complaint because we relied upon our determination that we lack statutory authority to award damages in the circumstances attendant to this case. The Bryants essentially assert that we failed to acknowledge that we have authority to adjust customer's bills and therefore failed to address their contention that their bills should be adjusted. We disagree.

We acknowledge the "damages" language in Order No. 97-1003. However, we would also note that that Order also finds and concludes that the complainants' water usage was properly billed


by the Company, Carolina Water Service, Inc. (CWS or the Company). Based on this factor, we declined to Order an adjustment in the Bryant's water and sewer bill. See Order No. 97-1003 at 2.

Although the Bryants did not raise the issue specifically, we would note that the unrefuted evidence of record in the instant case is that the water billed for was provided. The Complainants failed to prove that the water measured by the meter was not provided, failed to prove that they are entitled to any exception to the Company's approved policy with respect to billing adjustments for leakages, and failed to prove that they had taken any steps to repair any such leakages. Moreover, the only evidence of record regarding the complainants' meter was that it was registering less, and not more flow than was actually occurring until it was replaced in August of 1996 at Mrs. Bryant's request. In short, the evidence of record is more than substantial and clearly supports the Commission's conclusion that the usage was properly billed.

We therefore agree with the response of CWS that we clearly acknowledged our authority to order an adjustment of a customer's water and/or sewer bill, but we determined that the complainants' water usage had properly been billed and no adjustments were justified. We must therefore conclude that the Petition for Rehearing and Reconsideration is without merit and must be denied.

This Order shall remain in full force and effect until
further Order of the Commission.

BY ORDER OF THE COMMISSION:



Chairman

ATTEST:



Deputy Executive Director

(SEAL)